Mr. P. V. Raphael *(Joint Secretary to Government):* Government have considered the matter in full detail and it is only after this that they have come to this conclusion.

NOTICE BOARDS—AT TOLL-GATES—CORRECTIONS IN

40. **Mr. C. V. Iyyu** *(Kunnamkulam):* Will the Government be pleased to state.—

(*a*) whether the Government or the Diwan Peishkar has issued instructions to the toll gate contractors to make the necessary corrections on the Board placed at every toll-gate based on the Government Order R. Dis. 24606/1115, dated 3rd September on cut motion No. 5 (*a*) passed by the Council at the Budget Session of 1115;

(*b*) whether the Government has issued any instructions to the Municipalities in the State to bring to effect the principle of the Government Order referred to in (*a*) passed on the cut motion 5 (*a*) referred to above in (*a*) and also on cut motion 5 (*b*) by advising them to give proper instructions to the contractors under them also?

Mr. A. Madhava Prabhu *(Diwan Peishkar):*

(*a*) The Diwan Peishkar has issued the necessary instructions to the toll-gate contractors to carry out the spirit of the Government Order. A copy of the Circular issued by him is placed on the Council Table.* In view of these instructions, Government do not think it necessary to make any corrections on the Boards placed at the toll-gates.

(*b*) No. Both parts of the cut motion speak of the Public Works tolls alone.

Mr. C. V. Iyyu *(Kunnamkulam):* I am thankful to the Government for their Circular, and the instructions issued to the toll-gate contractors. I request them to make the necessary corrections on the boards placed at these toll-gates. By doing that they would be only fulfilling their duty by the people.

Mr. A. Madhava Prabhu *(Diwan Peishkar):* After every letter in the Board, if we are going to put a commentary of every word, then, I fear the size of board will be very big. After all, this is a minor matter and a Circular has already been issued.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli):* A separate board with the cut motion and the name of the mover on it

*Appendix II.

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along with the commentary should be put up *(Laughter)* at every toll-gate.

Mr. C. V. Iyyu *(Kunnamkulam):* Most of the bullock-cart drivers and others who pay these tolls are illiterate people, so that if this is shown on the board, no contractor will make bold himself and mis-behave.

MAHARAJA'S COLLEGE—No. OF STUDENTS PERMITTED TO TAKE UP HINDI

41. Mr. P. Govinda Menon *(Mulakunnathukavu):* Will the Government be pleased to state.—

(*a*) how many students applied for taking Hindi as second language in the Junior Intermediate class of the Maharaja's College;

(1) in the academic year 1939—1940 and

(2) in the academic year 1940—1941;

(*b*) out of these, how many were allowed to take up Hindi in each of the above years?

Rao Sahib I. N. Menon *(Director of Public Instruction):*

(*a*)	(1) 1939—1940	..	36.
	(2) 1940—1941	..	30.
(*b*)	1939—1940	..	24.
	1940—1941	..	16.

Mr. P. Govinda Menon *(Mulakunnathukavu):* May I know, Sir, why in the second year under reference only 16 students were admitted?

Rao Sahib I. N. Menon *(Director of Public Instruction):* The strength of all the four classes in Part II, Hindi, is fixed by the University just as in the case of all other subjects. The question relates to the Intermediate class. In the second year, there were students who were studying Hindi in the Higher classes. We had to take into account their number also and admission had to be restricted, the total being fixed by the University at 50.

Mr. A. B. Salem *(Mattancheri):* Were there more applicants than could be admitted?

Rao Sahib I. N. Menon *(Director of Public Instruction):* Yes.

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APPENDIX I

(Please see answer to Question No. 38)

Government regret to note that the nuisance created by the trespass of cattle on public roads and public compounds is increasing in the three Municipalities. The compound of almost every public building and park is full of stray cattle and the traffic on the roads is seriously interfered with by straying cattle. In growing towns such a practice cannot be tolerated.

2. According to the provisions of the Cattle Trespass Act the fine which the pound-keeper can levy on the owner of cattle for every head of impounded cattle is only 4 annas over and above the feeding charges. It was realised by experience in some of the Municipalities that this fine does not serve as an effective check on cattle-owners. When the New Municipal Bill was passed a provision was specially inserted for effectively preventing cattle trespass in public places. According to section 241 of the Cochin Municipal Act the owner of such cattle may be punished with fine which may amount to Rs. 25. Government are of opinion that the Municipalities concerned must now enforce the provisions of this section.

3. With a view to give due warning to the public about the intention of the Municipalities to enforce the provisions of section 241 the Municipalities concerned are requested to publish the fact widely by advertising in the State newspapers and by distributing notices in Malayalam. The public must be informed that the owners must see that their cattle do not trespass on any public place or road. From the 15th October 1940 the provisions of section 241 would be strictly enforced. After publishing such a notice and from the date mentioned Municipalities must strictly enforce the provisions of this section. It will be the duty of the Municipal Commissioners to prosecute under section 241 the owners of cattle found trespassing on public places. Government expect the Municipal Commissioners to be vigilent about this matter and enforce the provisions of the law strictly. Government will hold the Commissioners responsible if after the 14th October 1940 it is found that cattle are trespassing on public places in these areas.

APPENDIX II

(Please see answer to Question No. 40)

Office of the Diwan Peishkar,
Trichur,
19th September 1940.

MEMO

It has been brought to the notice of the Government that the term "carts for hire without load" more especially the Malayalam version of it, *viz.* "കാലം കയറാതെ കൂലിക്കു കൊടുക്കുന്ന വണ്ടികൾക്കും" occurring as item 16 in para 16 of the Diwan Peishkar's notification regarding the lease of tolls is being wrongly interpreted, that the expression "കൂലിക്കു കൊടുക്കുന്ന വണ്ടികൾക്കും" is taken to mean only carts drawn by coolies and not by bullocks or other animals and that the benefit of the concession rate of 2 annas prescribed for empty carts is being denied to be given to all the carts that come under the term. The toll contractors are therefore informed that such a far fetched interpretation of the term "കൂലിക്കു കൊടുക്കുന്ന വണ്ടികൾക്കും" as carts drawn by coolies only if any contractor has given it, is unwarranted and that they should not deny the

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concession rate of toll to empty carts drawn by bullocks or by other animals, upon such an interpretation of the expression. The term "ചരക്കുവണ്ടി" means carts for hire including all carts drawn by men, by bullocks or by other animals and not carts drawn by coolies only. They will therefore give clear and necessary instructions in the matter to all toll gate keepers under them. They are also informed that if any levy of toll in contravention of the above instructions comes to notice the penal provisions under the rules will be strictly enforced. The common plea of the ignorance of the toll gate keeper being a new man etc., will not be accepted for a sympathetic consideration of the offence in question or of any irregularity regarding the collection of toll or of complaints at the toll gates. The toll contractors should see that their men are given proper instructions in all matters.

(Sd.)
Diwan Peishkar

To

The Toll contractors

APPENDIX III

THE COCHIN INSOLVENCY ACT (AMENDMENT) BILL

Preamble.—Whereas it is expedient further to amend the Cochin Insolvency Act, VII of 1098; It is hereby enacted as follows.—

1. *Short title and commencement.*—This Act may be called the Cochin Insolvency (Amendment) Act of 111 and shall come into force at once.

2. *Insertion of sections 65-A and 65-B.*—After section 65 of the Cochin Insolvency Act, VII of 1098, the following sections shall be inserted.—

Lapse and credit to Government of unclaimed dividends.—"65-A. Where the Receiver has under his control any dividend which has remained unclaimed for 15 years from the date of declaration or such less period as may be prescribed, he shall pay the same to the account and credit of Government unless the Court otherwise directs.

Claims to monies credited to Government under section 65-A.—65-B. Any person claiming to be entitled to any monies paid to the account and credit of Government under section 65-A may apply to the Court for an order for payment to him of the same; and the court, if satisfied that the person claiming is entitled, shall make an order for payment to him of the sum due:

Provided that before making an order for the payment of a sum which has been carried to the account and credit of Government, the Court shall cause notice to be served on the Government Pleader calling on him to show cause, within one month from the date of service of the notice, why the order should not be made."

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